

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH, WILDLIFE AND PARKS**

**Call to Order:** Vice Chairman Dave McAlpin, on March 19, 2009 at  
3:25 P.M., in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Gordon R. Hendrick, Vice Chairman (R)  
Rep. Dave McAlpin, Vice Chairman (D)  
Rep. Dick Barrett (D)  
Rep. Paul Beck (D)  
Rep. Carlie Boland (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Mike Miller (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Mike Phillips (D)  
Rep. Cary Smith (R)  
Rep. Ted Washburn (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** Rep. Kendall Van Dyk, Chairman (D)  
Rep. JP Pomnichowski (D)  
Rep. Scott Sales (R)

**Members Absent:** Rep. Jill Cohenour (D)

**Staff Present:** Bryce Bennett, Committee Secretary  
Doug Sternberg, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 213; SB 337

Executive Action: SB 202; SB 404; SJ 15

**HEARING ON SB 337**

**Opening Statement by Sponsor:**

00:01:18 Sen. John Brenden (R), SD 18, opened the hearing on SB 337, Revise laws governing bison--re: translocation of quarantined bison.

**[EXHIBIT\(fih61a01\)](#)**

**Proponents' Testimony:**

00:07:49 Sen. Ken (Kim) Hansen, SD 17, Harlem  
00:11:32 Troy Blunt, Commissioner, Phillips County Commission  
00:12:46 Dave Reinhardt, Commissioner, Valley County Commission  
00:13:07 Jay Bodner, Montana Stockgrowers Association  
00:16:31 Nancy Schlepp, Montana Farm Bureau Federation  
00:16:49 Ariel Overstreet, Montana Cattlewomen

**Opponents' Testimony:**

00:19:48 Chris Smith, Deputy Director, Department of Fish, Wildlife, and Parks (FWP)

**[EXHIBIT\(fih61a02\)](#)**

00:23:40 Martin Zaluski, State Veterinarian, Animal Health Division, Department of Livestock

**[EXHIBIT\(fih61a03\)](#)**

00:27:32 Joe Gutkoski, Yellowstone Buffalo Foundation

00:29:20 Mike Volesky, Office of the Governor

00:31:01 Rep. Pomnichowski arrived.

00:32:23 John Mundinger, self

00:35:37 Tracy King, Councilman, Fort Belknap Indian Community Council

**[EXHIBIT\(fih61a04\)](#)**

00:40:14 Mike Fox, Fort Belknap FWP

00:43:11 Robert Magnam, self

**[EXHIBIT\(fih61a05\)](#)**

00:47:02 Pam Bucy, Confederated Salish and Kootenai Tribes

00:48:34 Jeff Stiffarm

**[EXHIBIT\(fih61a06\)](#)**

00:49:25 Tom Jones, Senior Game Warden, Fort Belknap FWP

**[EXHIBIT\(fih61a07\)](#)**

00:50:13 Fred Matt, self  
00:52:44 Carolyn Duckworth, Bear Creek Council  
[EXHIBIT\(fih61a08\)](#)  
00:56:44 Richard Parks, self  
00:57:45 Tim Stevens, National Parks Conservation Association  
[EXHIBIT\(fih61a09\)](#)  
00:59:47 Amy McNamara, Greater Parks Coalition  
[EXHIBIT\(fih61a10\)](#)  
01:02:14 Jonathon Proctor, Defenders of Wildlife  
[EXHIBIT\(fih61a11\)](#)  
01:04:15 Matt Skoglund, Natural Resource and Defense Council  
[EXHIBIT\(fih61a12\)](#)  
01:05:48 Ben Lamb, Montana Wildlife Federation  
01:07:01 Jennifer Nitz, self  
01:09:20 Linda Stevens, self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:10:11 Rep. Phillips  
01:10:57 Sen. Brenden  
01:11:07 Rep. Phillips  
01:11:20 Sen. Brenden  
01:11:27 Rep. Phillips  
01:11:43 Sen. Brenden  
01:11:54 Rep. Phillips  
01:12:13 Sen. Brenden  
01:12:55 Rep. Phillips  
01:13:14 Sen. Brenden  
01:14:05 Rep. Phillips  
01:14:28 Sen. Brenden  
01:14:41 Rep. Phillips  
01:14:59 Sen. Brenden  
01:15:59 Rep. Phillips  
01:16:39 Sen. Brenden  
01:17:24 Rep. Washburn  
01:17:55 Dr. Zaluski  
01:18:14 Rep. Washburn  
01:18:31 Dr. Zaluski  
01:18:57 Rep. Washburn  
01:19:37 Doug Sternberg, Legislative Services Division (LSD)  
01:21:09 Rep. Washburn  
01:21:25 Rep. Barrett  
01:22:26 Mr. Fox  
01:23:06 Rep. Welborn  
01:23:34 Mr. Smith  
01:24:41 Rep. Welborn  
01:25:02 Mr. Smith

01:26:59 Rep. Cohenour arrived.  
01:27:00 Rep. Welborn  
01:27:09 Mr. Smith  
01:27:33 Rep. Beck  
01:28:14 Dr. Zaluski  
01:28:26 Rep. Beck  
01:28:34 Dr. Zaluski  
01:28:45 Rep. Beck  
01:28:55 Dr. Zaluski  
01:29:17 Rep. Beck  
01:29:36 Dr. Zaluski  
01:30:16 Rep. Boniek  
01:30:41 Mr. Smith  
01:31:03 Rep. Boniek  
01:31:15 Mr. Smith  
01:32:18 Rep. Boniek  
01:32:30 Mr. Smith  
01:34:18 Rep. Boniek  
01:34:42 Sen. Brenden  
01:38:21 Rep. Boniek  
01:38:30 Sen. Brenden  
01:39:03 Rep. Boniek  
01:39:26 Dr. Zaluski  
01:40:41 Rep. Boniek  
01:40:55 Dr. Zaluski  
01:41:06 Rep. Boniek  
01:41:14 Dr. Zaluski  
01:42:01 Rep. Peterson  
01:42:58 Sen. Brenden  
01:43:09 Rep. Peterson  
01:43:41 Mr. Smith  
01:44:52 Rep. Peterson  
01:45:11 Mr. Smith  
01:46:13 Rep. Smith  
01:46:32 Mr. Smith  
01:47:00 Rep. Smith  
01:47:05 Mr. Smith

**Closing by Sponsor:**

01:47:34 Sen. Brenden

**HEARING ON SB 213**

**Opening Statement by Sponsor:**

01:53:24 Sen. Keith Bales (R), SD 20, opened the hearing on SB 213, Require FWP plan to manage wildlife to prevent disease transmission.

**Proponents' Testimony:**

01:56:44 Mr. Smith

**EXHIBIT**(fih61a13)

01:58:22 Vice Chairman McAlpin asked Vice Chairman Gordon Hendrick to act as temporary Chair.

02:01:52 Vice Chair Hendrick

02:02:04 Ms. Schlepp

02:02:49 Vice Chairman McAlpin resumed as Chair.

02:05:20 Mr. Bodner

02:07:38 Ms. Overstreet

**Opponents' Testimony:** None

**Informational Testimony:**

02:09:14 Christian Mackay, Executive Officer, Montana Board of Livestock

**Questions from Committee Members and Responses:**

02:09:40 Rep. Barrett

02:11:05 Mr. Smith

02:12:23 Rep. Barrett

02:12:37 Mr. Smith

02:13:05 Rep. Miller

02:13:19 Mr. Smith

02:14:47 Rep. Washburn

02:15:21 Mr. Smith

02:16:22 Rep. Washburn

02:16:42 Mr. Smith

02:17:34 Rep. Washburn

02:18:30 Mr. Mackay

02:19:17 Rep. Phillips

02:19:53 Mr. Smith

02:21:21 Vice Chairman McAlpin asked Rep. J.P. Pomnichowski to act as temporary Chairwoman.

**Closing by Sponsor:**

02:21:32 Sen. Bales

02:22:13 Rep. McAlpin resumed as Chairman.

**EXECUTIVE ACTION ON SJ 15**

02:24:23 **Motion:** Rep. Pomnichowski moved that **SJ 15 BE CONCURRED IN.**

02:24:34 **Motion:** Rep. Cohenour moved that **SJ 15 BE AMENDED.**  
**EXHIBIT**(fih61a14)

**Discussion:**

02:25:05 Rep. Cohenour

02:25:49 **Vote:** Motion carried unanimously by voice vote. Rep. Sales and Rep. Van Dyk voted by proxy.

02:26:07 **Motion:** Rep. Hendrick moved that **SJ 15 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:26:14 Rep. Washburn

02:26:42 Rep. Cohenour

02:27:23 Rep. Phillips

02:27:56 **Vote:** Motion carried unanimously by voice vote. Rep. Sales and Rep. Van Dyk voted by proxy. Rep. Cohenour will carry the bill in the House.

**EXECUTIVE ACTION ON SB 404**

02:28:28 **Motion:** Rep. Pomnichowski moved that **SB 404 DO PASS.**

02:28:57 **Motion:** Rep. Cohenour moved that **SB 404 BE AMENDED.**  
**EXHIBIT**(fih61a15)

**Discussion:**

02:29:22 Rep. Washburn

02:30:35 **Vote:** Motion carried 13-5 by voice vote with Rep. Barrett, Rep. Boniek, Rep. Cohenour, and Rep. O'Hara voting no. Rep. Phillips, Rep. Sales, and Rep. Van Dyk voted by proxy.

02:31:17 **Motion:** Rep. Pomnichowski moved that **SB 404 BE CONCURRED IN AS AMENDED.**

02:31:23 **Vote:** Motion carried unanimously by voice vote. Rep. Phillips, Rep. Sales and Rep. Van Dyk voted by proxy. Rep. O'Hara will carry the bill in the House.

**EXECUTIVE ACTION ON SB 202**

02:32:35 **Motion:** Rep. Hendrick moved that **SB 202 BE CONCURRED IN.**

02:32:45 **Motion:** Rep. Hendrick moved that **SB 202 BE AMENDED.**  
[EXHIBIT \(fih61a16\)](#)

**Discussion:**

02:33:27 Rep. Hendrick

02:34:00 **Vote:** Motion carried unanimously by voice vote. Rep. Phillips, Rep. Sales and Rep. Van Dyk voted by proxy.

02:34:15 **Motion:** Rep. Hendrick moved that **SB 202 BE CONCURRED IN AS AMENDED.**

02:34:27 **Vote:** Motion passed 17-1 with Rep. Miller voting no. Rep. Phillips, Rep. Sales, and Rep. Van Dyk voted by proxy. Rep. Hendrick will carry the bill in the House.

**ADJOURNMENT**

02:34:03 Adjournment: 6:00 P.M.

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Bryce Bennett, Secretary

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**Additional Exhibits:**

Joe Gutkoski, President, Yellowstone Buffalo Foundation

**EXHIBIT** ([fih61a17](#))

Additional Documents:

**EXHIBIT** ([fih61aad.pdf](#))